

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
MICHAEL GRAUER,	:	
	:	
Plaintiff,	:	
	:	
- against -	:	07 Civ. 5450 (LAP) (DCF)
	:	
UBS FINANCIAL SERVICES INC.,	:	
THOMAS REICHERT, and BARRY CONNELL,	:	
	:	
Defendants.	:	ORAL ARGUMENT
-----X	:	<u>REQUESTED</u>
UBS FINANCIAL SERVICES INC.,	:	
THOMAS REICHERT, and BARRY CONNELL,	:	
	:	
Counterclaim Plaintiffs,	:	
	:	
- against -	:	
	:	
MICHAEL GRAUER,	:	
	:	
Counterclaim Defendant.	:	
-----X	:	

DEFENDANTS' NOTICE OF MOTION TO QUASH SUBPOENAS

PLEASE TAKE NOTICE that, upon the annexed Affirmation of Douglas H. Wigdor (with attached exhibits), accompanying Memorandum of Law in Support of Defendants/Counterclaim Plaintiffs' Motion to Quash Subpoenas, and upon the pleadings and all prior proceedings heretofore had herein, UBS Financial Services Inc. ("UBSFS"), Thomas Reichert and Barry Connell (hereinafter, collectively "Defendants") now move this Court for an Order: (a) pursuant to Rule 45(c)(3) of the Federal Rules of Civil Procedure quashing Plaintiff's subpoenas issued to Eugene Chernick (deceased), Scott Chernick, Ellen Lawrence, Louis Magrino and Peter Margonelli, (b) requiring Plaintiff to

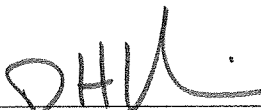
pay the reasonable expenses, including attorneys' fees, of Defendants regarding Plaintiff's subpoenas issued to UBSFS' clients, including but not limited to, the preparation of this motion, and (c) awarding such further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that Defendants request oral argument.

PLEASE TAKE FURTHER NOTICE, that pursuant to agreement among the parties, Plaintiff's opposition papers, if any, shall be due on April 7, 2008, and reply papers shall be due on April 11, 2008.

Dated: New York, New York
March 31, 2008

THOMPSON WIGDOR & GILLY LLP

By: 
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Inc., Thomas Reichert and Barry Connell

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